HONOURABLE SRI JUSTICE K.C. BHANU

W.P.No.19323 of 2005

Dated 1st September, 2005

Between:

V.Ramadevi, W/o.V.Ramudu,

Aged about 25 years, Occ: F.P.Shop Dealer,

3rd and 10th Wards, Gonegandla Village

and Mandal, Kurnoor Dist. .. Petitioner

and

The Joint Collector,

Kurnool, Kurnool District and two others .. Respondents

HONOURABLE SRI JUSTICE K.C. BHANU

W.P.No.19323 of 2005

ORAL ORDER:

This writ petition is filed seeking a Mandamus declaring the action of the 2nd respondent in cancelling the authorization vide proceedings

Rc.M.287/2005, dated 31.3.2005 as well as rejection of stay by the 1st respondent, vide Rc.CS.3/265/2005 dated 2.6.2005 as illegal and arbitrary.

The learned counsel for the petitioner has contended that the 2nd respondent, without giving any notice nor affording any opportunity to the petitioner, cancelled the authorizing of the Fair Price Shop being run by him, which is a total violation of the principles of natural justice.

The learned Government Pleader for Civil Supplies has stated that an appeal is pending before the 1st respondent and necessary directions may be issued to him.

The petitioner cannot be permitted to prosecute two parallel remedies in respect of the same cause of action. The contention raised by the petitioner can as well be agitated before the 1st respondent, who is the statutory appellate authority.

Therefore, without entering into the merits of the case, I consider it appropriate to direct the 1st respondent to dispose of the appeal filed by the petitioner, within a period of two months from the date of receipt of a copy of this order.

With the above direction, the writ petition is disposed of. No order as to costs.

01.09.2005

bcj

Note: Furnish copy by tomorrow.

b/o

bcj